

United States District Court  
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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RICHARD JENNINGS,

No. C 08-04652 WHA

Plaintiff,

v.

**ORDER RE APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER**

DEPARTMENT OF JUSTICE,

Defendant.

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On October 8, 2008, Richard Jennings, acting *pro se*, filed an ex parte application for temporary restraining order and motion for preliminary injunction enjoining defendant from harassing plaintiff. The matter was assigned to Judge Claudia Wilken, who entered an order denying the application more than one month ago (Dkt. No. 8). Thereafter, plaintiff filed a motion to have the case reassigned, and the matter was transferred to the undersigned. It is unclear why plaintiff requested to have the already decided application reassigned, but after reviewing the filings in this matter, it is apparent that Judge Wilken's order ruled upon, and disposed of, plaintiff's application. As Judge Wilken's order noted, no complaint has been filed or served. This order also notes that plaintiff has previously filed complaints raising similar accusations which were dismissed *sua sponte* for being "so attenuated and unsubstantial as to be absolutely devoid of merit" (*see, e.g.*, 08-2932, Dkt. No. 10). The matter is therefore closed.

**IT IS SO ORDERED.**

Dated: November 20, 2008

*Wm. Alsup*

WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

**United States District Court**

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